



1313 North Market Street
P.O. Box 951
Wilmington, DE 19899-0951
302 984-6000

www.potteranderson.com

Richard L. Horwitz
Partner
Attorney at Law
rhorwitz@potteranderson.com
302 984-6027 Direct Phone
302 658-1192 Fax

February 14, 2006

BY HAND DELIVERY AND E-FILE

The Honorable Joseph J. Farnan, Jr.
United States District Court
District of Delaware
844 North King Street
Wilmington, Delaware 19801

**Re: *Advanced Micro Devices, Inc., et al. v. Intel Corporation, et al.,*
C. A. No. 05-441-JJF; and
*In re Intel Corp., C.A. No. 05-1717-JJF***

Dear Judge Farnan:

I write on behalf of Intel in response to the letter sent to Your Honor yesterday by Mr. Cottrell, AMD's counsel. Given Your Honor's letter of November 22, 2005, setting out the Court's intention to be actively involved at the outset in case management, I will reserve comment on any arguments by AMD counsel about how they intend to try to conduct discovery or the scope of discovery in the case generally. However, I did want to correct a factual inaccuracy in AMD's letter that might be relevant to the Court.

AMD states that "all of the cases subject to the MDL Panel's order have been transferred to this District and are now properly before Your Honor." That is incorrect; the JPML's conditional transfer of *Marvin D. Chance, Jr. v. Intel Corp. et al.*, Civ. Action 6:05-1303 (D. Kan.), is not yet effective. Mr. Chance timely filed an objection to the conditional transfer order (CTO-1), which intended to transfer *Chance* and 21 other Tag-Along actions to this Court. Mr. Chance's objection, the only objection filed by the Tag-Along plaintiffs, has been fully briefed and awaits the JPML's ruling. Intel believes that it is likely that the Panel will rule on Mr. Chance's objection at its next session and order the immediate transfer of that action to MDL 1717. Intel will advise Your Honor and all parties in MDL 1717 as soon as it learns of the JPML's ruling on Mr. Chance's objection.

Respectfully,

/s/ *Richard L. Horwitz*

Richard L. Horwitz (#2246)

RLH/719690

The Honorable Joseph J. Farnan, Jr.

February 14, 2006

Page 2

cc: James L. Holzman, Esquire (by eFile and hand delivery)
Robert D. Goldberg, Esquire (by eFile and hand delivery)
Frederick L. Cottrell, III, Esquire (by eFile and hand delivery)
A. Zachary Naylor, Esquire (by eFile and hand delivery)
Robert E. Cooper, Esquire (by facsimile)
Charles P. Diamond, Esquire (by facsimile)
Darren B. Bernhard, Esquire (by facsimile)